pears to have been given as required by the preceding Order Nisi on Sales, as shown by the printer's certificate filed herewith, and the case is hereby referred to the Auditor to state an account.

Filed April 7, 1941

Judge of the Circuit Court for Frederick County.

BILL OF COMPLAINT

George McKenzie and Sadie A. McKenzie, his wife, William McKenzie and Alice McKenzie, his wife.

No. 15075 Equity

In the Circuit Court

For Frederick County,

vs.

unmarried.

Maryland.

John McKenzie and Rosie
McKenzie, his wife, Daniel McKenzie
and Orpha McKenzie, his wife, Clara
McKenzie, widow, Theresa McKenzie
Hahn and William Hahn, her husband,
Bertha I. McKenzie, unmarried, Harry
McKenzie, unmarried, James McKenzie,
unmarried, Helen McKenzie Kreh and
Floyd M. Kreh, her husband, Ray
Burrier, unmarried, Grover Harne,
widower, Ava Harne, unmarried,
Kenneth Harne, unmarried, Lorene Harne,
infant, unmarried, Leo Harne, unmarried,
Joseph S. McKenzie and Amy McKenzie,

his wife, and Charles A. McKenzie,

In Equity.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Bill of Complaint of George McKenzie and Sadie A. McKenzie, his wife, William McKenzie and Alice McKenzie, his wife, respectfully shows unto your Honors:

- 1. That James E. McKenzie, late of Frederick County, Maryland, departed this life on or about the 5th day of December, 1895, seized and possessed of certain parcels of farm and mountain lands in Tuscarora Election District, Frederick County, Maryland, improved with the usual and customary farm buildings, being part of the same real estate which was conveyed unto the said decedent by the following deeds:
- (1) Deed from Andrew J. Heller, et. ux., dated May 23, 1885, and recorded in Liber A. F. No. 11, Folio 187, one of the Land Records of the County aforesaid.
- (2) Deed from Fleet R. Neighbours, et. al., dated February 16, 1889, and recorded in Liber W. I. P. No. 9, Folio 59, one of the Land Records of the County aforesaid.

EXCEPTING THEREOUT AND THEREFROM all that piece or parcel of land described and conveyed in a deed from James E. McKenzie, et. ux., to George Shaeffer, dated December 1, 1885, and recorded in Liber W. I. P. No. 1, Folio 7, one of the Land Records of the County aforesaid.

AND ALSO EXCEPTING all that piece or parcel of land described and conveyed in a deed from James E. McKenzie, et. ux., to John Jacob Main, by deed dated December 1, 1885, and recorded in Liber W.I.P. No. 1, Folio 8, one of the Land Records of the County aforesaid.

Certified copies of which aforesaid deeds are filed herewith as Exhibits "Nos. 1, 2, 3, and 4, respectively, and which are prayed may be taken and considered a part hereof.

2. That the said James E. McKenzie died testate, leaving a Last Will and Testament dated December 2, 1895, duly admitted to probate by the Orphans Court for Frederick County and recorded in Liber J.K.W. No. 1, Folio 419, one of the Will Records of the County aforesaid, a certified copy of which said Will is filed herewith as a part hereof as Exhibit "No. 5", and by the terms thereof provides as follows:

"I give to my wife, Theresa E. McKenzie all of my property, both real and personal, as long as she lives and bears my name, and should she remarry again all the property is to be sold and to be equally divided with my children, and she is to have what the law allows her for her share";